



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shuichi Kikuchi et al. Art Unit : 2822
Serial No. : 09/943,667 Examiner : Toniae M. Thomas
Filed : August 31, 2001
Title : SEMICONDUCTOR DEVICE AND METHOD FOR MANUFACTURING THE SAME

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF NOVEMBER 3, 2004

On October 28, 2004, prior to the mailing date of the present Office action, applicant filed a second preliminary amendment. A voice-mail message was left for the Examiner on October 28, 2004 informing the Examiner that applicant was filing a second preliminary amendment.

As indicated by the enclosed copies of the date-stamped post card and the first page of the preliminary amendment as obtained from the PTO's on-line PAIR system, it is clear that the second preliminary amendment was received by the PTO on November 1, 2004. That second preliminary amendment should have been considered for the following reasons:

- (i) The second preliminary amendment was received by the PTO before the mailing date (November 3, 2004) of the present Office action; and
- (ii) The request for continued examination (RCE) dated August 19, 2004 included a petition for a three-month suspension of action to allow the applicant to consider the filing of

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Feb. 3, 2005
Date of Deposit

Signature

PAULA T. ROMEO
Typed or Printed Name of Person Signing Certificate